

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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FINLANDE

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY
(PCT Rule 66)

Date of mailing
(day/month/year)

15.04.2005

Applicant's or agent's file reference
MRE29PCT/P2364PC00

REPLY DUE

within 2 month(s)
from the above date of mailing

International application No.
PCT/FI2004/000201

International filing date (day/month/year)
01.04.2004

Priority date (day/month/year)
01.04.2003

International Patent Classification (IPC) or both national classification and IPC
D21H27/30

Applicant
M-REAL OYJ et al.

1. ☒ The written opinion established by the International Searching Authority:
☒ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority
2. This first report contains indications relating to the following items:
 - ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

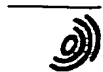
When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 01.08.2005

Name and mailing address of the international preliminary examining authority:



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**WRITTEN OPINION OF THE INTERNATIONAL
PRELIMINARY EXAMINING AUTHORITY**International application No.
PCT/FI2004/000201**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this opinion is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed")*:

Description, Pages

1-28 as published

Claims, Numbers

1-33 as published

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:
 4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:

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**Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	14,15,26-30
	No: Claims	1-13,16-25,31-33
Inventive step (IS)	Yes: Claims	14,15,26-30
	No: Claims	1-13,16-25,31-33
Industrial applicability (IA)	Yes: Claims	1-33
	No: Claims	

2. Citations and explanations:

see separate sheet

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Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US-A-6 162 596

D2: US-A-5 910 385

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 and 16 is not new in the sense of Article 33(2) PCT.

- 2.1 Concerning independent claim 1, the document D1 discloses (the references in parentheses applying to this document):

- multilayered product comprising (claim 1)
- at least one layer, which is formed by cellulosic or lignocellulosic fibers (claim 1; col. 4, l. 53-59), and
- at least one second layer, which is fitted adjacent to the first layer or at a distance therefrom (claim 1), characterized in that
- the second layer contains a synthetic, electrically conductive polymer, which is mixed with a binder which forms a binder matrix (claim 1),
- whereby the second layer is at least partially electrically conductive (claim 1).

D2 (claim 1) also discloses the subject-matter of claim 1.

- 2.2 Concerning independent claim 16, the document D1 discloses (the references in parentheses applying to this document):

- method for producing a multilayered product, which method comprises producing (col. 10, l. 4-61)
- at least one fibrous layer, which is formed by cellulosic or lignocellulosic fibers (col. 4, l. 53-59), and
- at least one layer of an adhesive agent arranged on top of the fibrous layer (claim 1; col. 10, l. 4-61), characterized in that
- layer of the adhesive agent is formed from a mixture, which contains synthetic,

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electrically conductive polymer, which is mixed with a binder (claim 1; col. 10, l. 4-61), and
- this mixture is applied upon the fibrous layer (claim 1; col. 10, l. 4-61).

3. Dependent claims 2-13, 17-25 and 31-33 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.
4. The combination of the features of dependent claims 14, 15 and 26-30 is neither known from, nor rendered obvious by, the available prior art. The reasons are as follows:
Neither D1 nor D2 discloses the subject-matter of claims 14, 15 and 26-30. Thus, the subject-matter of these dependent claims should be introduced into the independent claims 1 and 16.
5. The applicant is requested to file amendments by way of replacement pages in the manner stipulated by Rule 66.8(a) PCT. In particular, fair copies of the amendments should be filed preferably in triplicate.

Moreover, the applicant's attention is drawn to the fact that, as a consequence of Rule 66.8(a) PCT the examiner is not permitted to carry out any amendments under the PCT procedure, however minor these may be.

In order to facilitate the examination of the conformity of the amended application with the requirements of Article 34(2)(b) PCT, the applicant is requested to clearly identify the amendments carried out, no matter whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based (see also Rule 66.8(a) PCT).

If the applicant regards it as appropriate these indications could be submitted in

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handwritten form on a copy of the relevant parts of the application as filed.

Any information the applicant may wish to submit concerning the subject-matter of the invention, for example further details of its advantages or of the problem it solves, and for which there is no basis in the application as filed, should be confined to the letter of reply and not be incorporated into the application (Article 34(2)(b) PCT).